



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,793	11/19/2002	Jan Phillippe Eiras	1416.01	4753

21901 7590 02/22/2005

SMITH & HOPEN PA
15950 BAY VISTA DRIVE
SUITE 220
CLEARWATER, FL 33760

EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
----------	--------------

2157

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,793

Applicant(s)

EIRAS ET AL.

Examiner

Hussein A El-chanti

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to amendment received on Oct. 28, 2004. Claim 1 was amended. Claims 1-30 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Hite et al., U.S. Patent No. 6,763,040 (referred to hereafter as Hite).

Hite teaches the invention explicitly as claimed including a system and method for intercepting and processing messages to and from clients on a network (see abstract)

As to claim 1, Hite teaches a computer program product for message traffic interception comprising:

a computer-readable medium (see col. 6 lines 4-47);

a protocol independent API core module stored on the medium, the API core module having an array of predetermined rules for intercepted message traffic (see col. 6 lines 48-67 and TABLE A, API core receives messages and are processed according to the instructions included using TABLE A); and

an interface communication emulator module communicatively coupling protocol-specific message traffic to the API core (see col. 1 lines 55-58, the received messages are provided with program specific protocol).

As to claim 2, Hite teaches the computer program product of claim 1 further comprising a message database communicatively coupled to the API core module, the message database further comprising an array of message properties for each message (see col. 11 lines 35-col. 12 lines 55).

As to claim 3, Hite teaches the computer program product of claim 2 wherein the array of message properties further comprise message interpretation data (see col. 11 lines 35-col. 12 lines 55).

As to claim 4, Hite teaches the computer program product of claim 2 wherein the array of message properties further comprise message formatting data (see col. 11 lines 35-col. 12 lines 55).

As to claim 5, Hite teaches the computer program product of claim 2 wherein the array of message properties further comprise message routing data (see col. 11 lines 35-col. 12 lines 55).

As to claim 6, Hite teaches the computer program product of claim 2 wherein the array of message properties further comprise message default values (see col. 11 lines 35-col. 12 lines 55).

As to claim 7, Hite teaches the computer program product of claim 2 wherein the array of message properties further comprise message transmission rules (see col. 11 lines 35-col. 12 lines 55).

As to claim 8, Hite teaches the computer program product of claim 2 wherein the array of message properties further comprise enable-lockout combination data (see col. 11 lines 35-col. 12 lines 55).

As to claim 9, Hite teaches the computer program product of claim 2 wherein the array of message properties further comprise limits on message field values (see col. 11 lines 35-col. 12 lines 55).

As to claim 10, Hite teaches the computer program product of claim 2 wherein the array of message properties further comprise message field units (see col. 11 lines 35-col. 12 lines 55).

As to claim 11, Hite teaches the computer program product of claim 2 wherein the array of message properties further comprise user-defined identifiers (see col. 11 lines 35-col. 12 lines 55).

As to claim 12, Hite teaches the computer program product of claim 2 wherein the array of message properties further comprise interface information (see col. 11 lines 35-col. 12 lines 55).

As to claim 13, Hite teaches the computer program product of claim 2 further comprising a scenario module communicatively coupled to the message database, the scenario module further comprising state machine emulation definition, the definition providing event driven parameters responsive to message traffic (see col. 11 lines 19-35 and fig. 10).

As to claim 14, Hite teaches the computer program product of claim 13 wherein the event-driven parameters discriminate between messages based on message identification (see col. 8 lines 35-40).

As to claim 15, Hite teaches the computer program product of claim 13 wherein the event-driven parameters discriminate between messages based on message contents (see col. 11 lines 35-col. 12 lines 55).

As to claim 16, Hite teaches the computer program product of claim 13 wherein the event-driven parameters discriminate between messages based on message occurrence (see col. 12 lines 31-61).

As to claim 17, Hite teaches the computer program product of claim 13 wherein the event-driven parameters discriminate between messages based on message frequency (see col. 12 lines 31-61 and col. 5 lines 65-col. 6 lines 30).

As to claim 18, Hite teaches the computer program product of claim 13 wherein the event-driven parameters discriminate between messages based on a count of the number of times an event's parameters have been satisfied (see col. 33).

As to claim 19, Hite teaches the computer program product of claim 13 wherein the event-driven parameters discriminate between messages based on a comparison with variables (see col. 5 lines 65-col. 6 lines 30).

As to claim 20, Hite teaches the computer program product of claim 13 wherein an event defined by the event-driven parameters modify the contents of a message (see col. 41-42).

As to claim 21, Hite teaches the computer program product of claim 13 wherein an event defined by the event-driven parameters route a message (see col. 41-42).

As to claim 22, Hite teaches the computer program product of claim 13 wherein an event defined by the event-driven parameters delete a message (see col. 41-42).

As to claim 23, Hite teaches the computer program product of claim 13 wherein an event defined by the event-driven parameters controls other events (see col. 8 lines 41-65).

As to claim 24, Hite teaches the computer program product of claim 13 wherein an event defined by the event-driven parameters performs calculations (see col. 12 lines 31-61).

As to claim 25, Hite teaches the computer program product of claim 13 wherein an event defined by the event-driven parameters controls user displays (see col. 12 lines 31-61).

As to claim 26, Hite teaches the computer program product of claim 13 wherein an event defined by the event-driven parameters extracts at least one value from a message (see col. 12 lines 31-61).

As to claim 27, Hite teaches the computer program product of claim 13 wherein an event defined by the event-driven parameters creates and sends an arbitrary message defined in the database (see col. 12 lines 31-61).

As to claim 28, Hite teaches the computer program product of claim 13 wherein an event defined by the event-driven parameters transforms an incoming message into a different message defined in the database (see col. 12 lines 16-30).

As to claim 29, Hite teaches the computer program of claim 13 wherein the actions triggered by an event provide logical branching, looping, iteration, and internal or external subroutine calling capability (see col. 11-col. 12).

As to claim 30, Hite teaches the computer program product of claim 13 wherein the communications interface emulator module is communicatively coupled to the scenario execution module which is communicatively coupled to the message database whereby messages are received, reformatted into a message database compliant structure and outbound messages generated by the scenario module are passed back to the communications interface emulator module for protocol-specific transmissions

the computer program product of claim 13 further comprising a post-test data analysis capability wherein recorded data may be analyzed, abstracted, and displayed in a variety of text and graphical formats (see col. 12 lines 31-61).

3. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new grounds of rejection.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

Feb. 10, 2005


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 210C